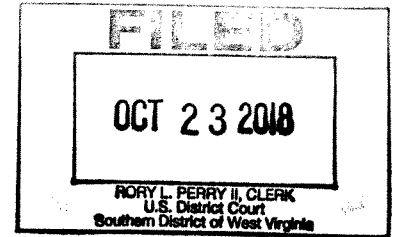


# SEALED

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON GRAND JURY 2016-2  
OCTOBER 23, 2018 SESSION



UNITED STATES OF AMERICA

v.

CRIMINAL NO. 2:18-cr-00241  
18 U.S.C. § 922(g) (9)  
18 U.S.C. § 924(a) (2)

BRIAN M. OLIVER

I N D I C T M E N T  
(Prohibited Possession of a Firearm by a Person Previously  
Convicted of a Misdemeanor Crime of Domestic Violence)

The Grand Jury Charges:

1. On or about April 29, 2018, at or near Dunbar, Kanawha County, West Virginia, and within the Southern District of West Virginia and elsewhere, defendant BRIAN M. OLIVER did knowingly possess a Iver Johnson US .22 caliber handgun, in and affecting interstate commerce.

2. At the time defendant BRIAN M. OLIVER possessed the aforesaid firearm, he had been convicted of a misdemeanor crime of domestic violence as defined in 18 U.S.C. § 921(a)(33)(A), that is:

a. Convicted on or about January 19, 2017, in the Magistrate Court of Kanawha County, West Virginia, of Domestic Battery, in violation of West Virginia Code § 61-2-28(a), Case Number 16-M20M-07948(JY); and

b. Convicted on or about March 27, 2017 in the Circuit Court of Kanawha County, West Virginia, of the misdemeanor offense of Second Offense Domestic Battery, in violation of West Virginia Code 61-2-28(a), Case Number 17-M-48(I).

In violation of Title 18, United States Code, Sections 922(g)(9) and 924(a)(2).

**FORFEITURE**

In accordance with 28 U.S.C. § 2461(c), 18 U.S.C. § 924(d)(1), and Rule 32.2(a) of the Federal Rules of Criminal Procedure, and premised upon the conviction of defendant BRIAN M. OLIVER of a violation of 18 U.S.C. §§ 922(g)(9) and 924(a)(2) as set forth in this Indictment, defendant BRIAN M. OLIVER shall forfeit to the United States any firearm involved in or used in such a firearm offense, including, but not limited to, the Iver Johnson US .22 caliber handgun, bearing the serial number AE59685, seized by police on or about April 29, 2018.

MICHAEL B. STUART  
United States Attorney

By: Erik S. Goes  
ERIK S. GOES  
Assistant United States Attorney